

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY (TRENTON)**

Daryl Fallas,

**Plaintiff,
v.**

**Cavalry SPV I, LLC and Schachter
Portnoy, LLC**

Defendants.

Hon. Peter G. Sheridan

Case No. 12-cv-05664-PGS-DEA

Notice of Motion

TO: **Daryl Fallas**
77 Parker Avenue
Deal, NJ 07723

PLEASE TAKE NOTICE, Defendant Cavalry SPV 1, LLC, will apply to the United States District Court for the District of New Jersey, before the Honorable Peter G. Sheridan, United State District Judge at the United States Court House, Clarkson S. Fisher Building & U.S. Courthouse 402 East State Street Room 2020, Trenton, NJ 08608 on November 5, 2012 for an Order dismissing Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6), together with such other and further relief as the Court shall deem proper.

The undersigned shall rely on the attached Brief in support of this Motion. Cavalry SPV

1, LLC respectfully requests that the Court enter the proposed order dismissing the Complaint.

MAURICE & NEEDLEMAN, P.C.
Attorneys for Defendant
Cavalry SPV 1, LLC
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Flemington, NJ 08822
(908) 237-4550

/s/ Rachel Marin
Rachel Marin, Esq.
Date: August 9, 2012
For the Firm

Dated: October 3, 2012